

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

IN RE:
Erick Johnson
Carmen Kitts Johnson aka Carmen Kitts
Debtor(s)

Case No: 16-04101-HWV
Chapter 13

AMENDED NOTICE OF TEMPORARY FORBEARANCE

Bankruptcy Court Claim #: 3
Date of Filing: October 25, 2016
Effective Date of Forbearance: October 1, 2021 through December 1, 2021

M&T Bank (“Creditor”) hereby provides notice that due to a recent financial hardship resulting directly or indirectly from the COVID-19 emergency the Debtors have requested, and Creditor has provided, a temporary suspension of mortgage payments (“Temporary Forbearance”).

During this short-term relief, all terms and provisions of the mortgage note and security instrument, other than the payment obligations, will remain in full force and effect.

NOTE: The Temporary Forbearance does not forgive any indebtedness; it only suspends the date that such indebtedness must be paid.

Creditor does not waive any rights upon expiration of the Temporary Forbearance with respect to any remaining delinquency, including the right to seek relief from the automatic stay for nonpayment of the post-petition monthly installments or for reasons other than non-payment of the post-petition monthly installments, including, but not limited to, a lack of payment for required escrow items such as hazard insurance and real estate taxes. Creditor does not waive any rights to collect any and all payments that may come due during the Temporary Forbearance period after the expiration of the Temporary Forbearance.

Nothing in the Temporary Forbearance or in this Notice shall constitute a waiver of Creditor’s rights under the terms of the mortgage note and security instrument, the Bankruptcy Code or applicable non-bankruptcy laws and regulations, including, but not limited to, the Real Estate Settlement Procedures Act. Creditor expressly retains the right to collect any post-petition escrow shortage.

By: /s/Daniel P. Jones
Daniel P. Jones
Bar No: 321876
djones@sterneisenberg.com
Counsel for Creditor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

IN RE:

Erick Johnson
Carmen Kitts Johnson aka Carmen Kitts
Debtor(s)

Case No: 16-04101-HWV

Chapter 13

CERTIFICATE OF SERVICE

I certify that on June 14, 2021, I caused to be served a true and correct copy of the above Notice of Temporary Forbearance upon registered recipients via the Court's ECF system. In the event the debtor(s) is/are pro se, a paper copy of the Notice is being mailed to the debtor's address on file with the Court.

Dawn Marie Cutaia
115 East Philadelphia Street
York, PA 17401
dmcutaia@gmail.com
Counsel for Debtor

Charles J. DeHart, III
8125 Adams Drive
Suite A
Hummelstown, PA 17036
dehartstaff@pamd13trustee.com
Bankruptcy Trustee

Asst. U.S. Trustee
228 Walnut Street, Suite 1190
Harrisburg, PA 17101
ustpreion03.ha.ecf@usdoj.gov
US Trustee

and by standard first-class mail postage prepaid
to:

Erick Johnson
9005 Carlisle Rd.
Wellsville, PA 17365

Carmen Kitts Johnson aka Carmen Kitts
9005 Carlisle Rd.
Wellsville, PA 17365
Debtor(s)

By: /s/Daniel P. Jones
Daniel P. Jones
Bar No: 321876
Stern & Eisenberg, PC
djones@sterneisenberg.com
Counsel for Creditor